

DRAFT

**Urban Flood Risk Reduction Program
PROPOSAL SOLICITATION PACKAGE**

**STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
DIVISION OF FLOOD MANAGEMENT**

July 2014

Urban Flood Risk Reduction (UFRR) Program

PROPOSAL SOLICITATION PACKAGE (PSP)

The California Department of Water Resources (State) invites you to submit a UFRR Program Project proposal. UFRR Program funding comes from Proposition 1E as approved by the electorate on November 7, 2006.

PROPOSAL DUE DATE

5:00 pm

XXXXX, 2014

Must be postmarked by this time and date.

PROPOSAL SUBMITTAL

Submit **one** electronic copy and **one** hard copy for each proposal. Submitting a CD-ROM, DVD, or USB flash drive is acceptable, either in MS Word-compatible format or in a searchable PDF format with content copying enabled. Hard copies or hard-copy appendices must be completely legible and suitable for copying.

To submit by mail:

California Department of Water Resources
P. O. Box 942836, Sacramento, CA 94236-0001
Attention: Kelly Fucciolo

By hand delivery or overnight carrier:

Kelly Fucciolo, DWR
3464 El Camino Avenue, Suite 201
Sacramento, California 95821

By e-mail: Kelly.Fucciolo@water.ca.gov

QUESTIONS? NEED ASSISTANCE? CONTACT:

Kelly Fucciolo
UFRR Program Manager
(916) 574-0918
Kelly.Fucciolo@water.ca.gov

For an electronic copy of this PSP please go to <http://www.water.ca.gov/floodsafe/>.

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1. BACKGROUND

The UFRR Program was created as a result of the adoption of the Central Valley Flood Protection Plan (CVFPP) to support implementation of regional flood damage reduction projects for Urban and Urbanizing (hereinafter referred to as Urban) areas protected by State Plan of Flood Control (SPFC) facilities in the Sacramento-San Joaquin Valley. The goal is to implement projects that address State investment priorities and achieve, at minimum, an urban level of flood protection, defined as protection from a 200-year flood. The UFRR Program will assist Urban Local Agencies to plan, design, and construct Flood Risk Reduction projects. The projects must rehabilitate, reconstruct, replace, or improve facilities or appurtenant facilities of the SFPC in ways that improve flood protection. Projects may include Feasibility Studies, Design Projects, or Construction Projects.

The State published the *Urban Flood Risk Reduction Program Guidelines* (hereinafter cited as the *UFRR Program Guidelines*) on **date 2014**, which details the purpose, process, and requirements of the UFRR Program. The *UFRR Program Guidelines* are specifically incorporated into this PSP. All definitions of terms and all requirements for Projects under the *UFRR Program Guidelines* apply to this PSP. A copy of the final *UFRR Program Guidelines* is available at <http://www.water.ca.gov/floodsafe/news>.

Under the UFRR Program, State investments must be consistent with the State Systemwide Investment Approach (SSIA) of the CVFPP (Section 5.1) and be shown to be feasible. To be consistent with SSIA, projects must incorporate CVFPP principles and contribute to Integrated Flood Management Basin objectives, which target flood safety, environmental stewardship, and economic sustainability. Investments will only be made for projects that reduce flood risks in Urban Areas protected by SPFC facilities. In addition, funded projects should address one or more regional priorities consistent with a Regional Flood Management Plan and makes significant progress toward the following:

- Supporting a systemwide approach to flood management that improves flood system resiliency and sustainability;
- Improving flood risk management (achieving the SPFC design flow criteria or greater, protecting life safety in high-risk communities, and providing a reduction in economic damages);
- Improving operations and maintenance and emergency response;
- Promoting ecosystem functions;
- Providing multiple benefits including: contributing to a robust and sustainable ecosystem, improving water quality, enhancing groundwater recharge, or integration with other water management activities; and
- Improving institutional support.

All UFRR Program projects must have a Basin Plan, which is an overall plan for improving flood management within a Basin. The Basin Plan will consist of one or more Basin Projects and will contain a Project's schedule, cost estimate, and proposed cost share percentage for achieving a specific level of flood protection.

This PSP contains a synopsis of the proposal submittal and selection process, the UFRR Program eligibility requirements, the anticipated schedule for submittal and review of the proposals, information regarding what the proposal should contain, required forms, and the criteria by which applications will be evaluated. Applicants should review the *UFRR Program Guidelines* as well as the PSP to ensure that all program requirements are met.

2. AUTHORIZED FUNDS

Proposition 1E authorized three billion dollars (\$3,000,000,000) to repair, improve or add levees, weirs, bypasses and facilities of the SPFC, as described in further detail in Section 1.2 of the *UFRR Program Guidelines*. Program funding in the amount of \$155,000,000 will come from Proposition 1E under this solicitation.

3. ELIGIBLE APPLICANTS

An Applicant must be a Local Agency with the authority to implement flood projects within the areas protected by the facilities of the SPFC. The Applicant must propose a project for a Feasibility Study, design, or construction work to implement flood risk reduction Projects that rehabilitate, reconstruct, replace, or improve facilities or appurtenant facilities of the SPFC within Urban communities.

4. ELIGIBLE PROJECTS

A Project is defined as distinct work that is separately identifiable and physically separable from other work in the Basin and will on its own, or as part of the Basin Plan, restore, replace, or improve performance of a facility or facilities of the SPFC. The UFRR Program is limited to Urban Areas of the Sacramento-San Joaquin Valley and certain adjacent areas. Eligible Projects include Feasibility Studies, Design Projects, and Construction Projects. Requirements and further description of Project Eligibility can be found in Section 4 of the *UFRR Program Guidelines*.

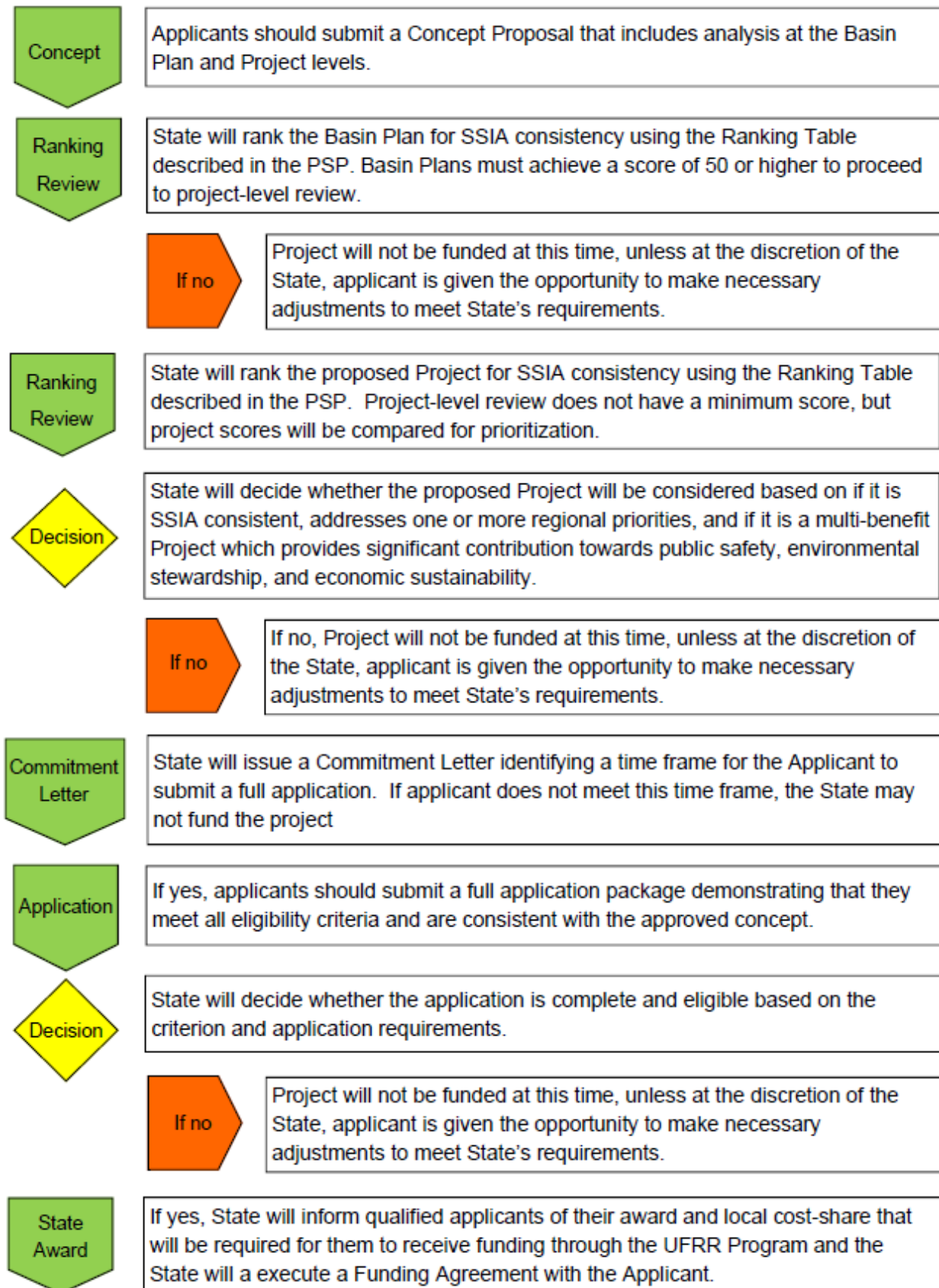
It is important to note that the limited availability of funding within this funding cycle requires state investment prioritization, primarily based on the flood risk reduction that a proposed Project can achieve when it is compared with other proposed projects. This investment prioritization consideration will influence the project ranking for eligibility. Other evaluation considerations include the ability of the project to add resiliency and flexibility to the flood

management system with a preference for integrated multi-benefit programs. See Appendix 1, Project Ranking Table, for full details. Projects will require a local cost share in accordance with the Cost Share Guidelines published in xxxx of 2014.

5. PROPOSAL SELECTION PROCESS

The figure below represents the application and selection process that will be used to evaluate all proposals that are submitted for funding consideration. In general, there are 4 major steps:

1. Submit a high level concept proposal describing the Basin Plan.
2. If the Basin Plan ranks 50 or more points, the Basin Project will be ranked for prioritization.
3. If the Basin Project is ranked among the highest prioritized Projects, a full application giving detailed Project information will be submitted.
4. The State will verify that all eligibility requirements of the Project are met, and if the Project is selected, will notify applicants of their potential award and funding.



6. REQUIRED APPLICATION MATERIALS

The following table indicates the items required for each type of UFRR Program Application.

	Concept Proposal			Full Application	
	Feasibility Study	Design Project	Construction Project	Design Project	Construction Project
A Table of Contents, including a list of appendices	X	X	X	X	X
Appendix 2	X	X	X	X	X
Appendix 3	X	X	X	X	X
Appendix 4	X	X	X	X	X
Appendix 5	X	X	X	X	X
Appendix 6-A					X
Appendix 6-B				X	
Appendix 7	X	X	X	X	X
Statement of financial capability to secure funds	X	X	X		
Statement regarding why the Project is eligible for funding as a Feasibility Study, Design Project, or Construction Project, according to the eligibility criteria set forth in Section 4 of the UFRR Program Guidelines	X	X	X	X	X
Documentation that provides sufficient information to demonstrate the plan for meeting SSIA Consistency per Appendix 1.	X	X	X		
High-level description of the plan to achieve 200-year level of protection for the entire basin	X	X	X		

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	Concept Proposal			Full Application	
	Feasibility Study	Design Project	Construction Project	Design Project	Construction Project
Basin Plan *	X	X	X	X	X
Documentation that provides sufficient information to demonstrate that the Project meets the 10 Criteria set forth in the Section 5 of the <i>UFRR Program Guidelines</i> .				X	X
A statement by a professional civil engineer registered with the State of California certifying review of the information presented in support of the proposal				X	X
A hydraulic impact analysis of the Project					X
Evidence of compliance with California Labor Code					X

*Basin Plan components are described in the UFRR Guidelines, Section 3.8

7. PROPOSAL RANKING

All eligible design and construction projects will be ranked according to the Ranking Table included in Appendix 1. Feasibility Study Proposals will be evaluated for completeness, but will not be ranked for SSIA consistency.

Projects will initially be evaluated and ranked at the Concept Proposal level, which will focus on the benefits provided at the Basin Plan level, not the individual Basin Project level. Concept Proposals for Basin Plans must initially score 50 points or more to be considered for funding. The Basin Project will be evaluated next using the same Ranking Table in Appendix 1. While a minimum score is not required at this phase, the State will use the scores to prioritize projects. The highest ranked Projects will be asked to submit a full application. After a full application has been received and full eligibility requirements have been met and verified, Projects will be

selected for funding based on the estimated total Project cost and State cost share, subject to available funding.

In the unlikely event that there is enough money to fund every complete and eligible Project, the State reserves the right to set a minimum threshold of ranking points that a Project proposal must meet in order to merit funding. In addition; the State may, at its discretion, issue additional PSPs if proposals accepted under this PSP do not use all available funding and/or do not merit funding according to the State's investment priorities.

8. ANTICIPATED SCHEDULE

The following is the anticipated schedule for the UFRR Program proposal submittal and review process:

July 15, 2014	<i>UFRR Program Guidelines</i> and PSP approved by the Director, finalized and released to the public.
September 16, 2014	Concept Proposals due (or postmarked) by 5:00
October 31, 2014	State notifies Local Agencies of results of funding decisions.

9. CONFLICT OF INTEREST AND CONFIDENTIALITY

All participants are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the proposal being rejected and any subsequent contract being declared void. Other legal action may also be taken. Applicable statutes include, but are not limited to, Government Code§ 1090, and Public Contract Code, §§10410 and 10411.

As part of the conflict of interest requirements, individuals working on behalf of a Funding Recipient may be required by the State to file a Statement of Economic Interests (Fair Labor Practices Commission Form 700) if it is determined that an individual is a consultant for Political Reform Act purposes.

Applicants should note that by submitting a proposal, they waive their rights to the confidentiality of that proposal, though State staff will endeavor to keep all proposals confidential until Project selection. After the Projects are selected, all proposals (those selected *and* those not) will become a matter of public record.

Appendix 1

Ranking Table

		Total Possible Points
Improve Flood Risk Management (50 points)	People and Property at Risk – Reduce flood risk to people and property within floodplains protected by the SPFC. <ul style="list-style-type: none"> Up to 30 Points for an Urban area with a base Expected Annual Damage (EAD) of over \$10M, if the project can reduce EAD by 50% or more Up to 20 Points for an Urban Area with base EAD of over \$10M, if the project can reduce EAD by 25% to 50% Up to 5 points for an Urban area with base EAD of over \$10M, if the project can reduce EAD by up to 25% <p>----- or -----</p> <ul style="list-style-type: none"> Up to 10 points for an Urban area with base EAD of between \$5-10M if the project can reduce EAD by 50% or more Up to 5 points for Urban an area with base EAD of between \$5-\$10M, if the project can reduce EAD by 25% to 50% 	30
	Flood System Flexibility and Resiliency – Improve the ability of the flood management system to adapt to changing conditions (hydrologic, climate change, social, political, regulatory, or ecological conditions) and to continue to function and recover quickly after damaging floods.	10
	Wise Floodplain Management – Wisely manage floodplains protected by the SPFC. Project will not increase State liability by causing urbanization of rural agricultural areas in deep floodplains. Manage and address residual risks, particularly in areas of deep or rapid flooding.	10
Promote Ecosystem Functions (20 Points)	Ecosystem Processes – Improve and enhance natural dynamic, hydrologic, and geomorphic processes.	10
	Habitats – Increase and improve quantity, diversity, quality, and connectivity of riverine aquatic and floodplain habitats.	5
	Species – Contribute to the recovery and stability of native species populations and overall biotic community diversity.	5
Promote Multi-Benefit Projects (10 Points)	Integrated Water Management – Promote multi-benefit projects that integrate other resource needs (water supply, recreation, open space, effective flood emergency response, protection of State facilities, storage etc.), where feasible.	10
Improve O&M (10 Points)	Long-term Cost of O&M – Reduce the long-term cost of SPFC O&M through more sustainable physical conditions and improved facility reliability. Reduce emergency response costs by allowing for increased visibility and accessibility during emergencies.	10
Improve Institutional Support (10 Points)	Improve Institutional Support – Reduce regulatory compliance and mitigation costs. Possible examples could include early consultations on projects and/or planning for advance mitigation or applicant demonstrating a process for the development of programmatic permits as part of the Basin Plan.	10
Total *		100

* Concept Level Plans will require a minimum of 50 points to qualify.
 Concept Level Projects will be ranked for prioritization.

Appendix 2

Applicant Information

1. Provide Agency Name, Address, Phone Number, and email address
2. Provide information about the authorized representative who may sign contract a on behalf of the applicant; include name, title, phone number, and email address
3. Provide location of the proposed project including regional flood management planning area, county, and reclamation district
4. Describe applicant's flood management authority
5. Describe the role of the applicant in regional flood management planning
6. Is there a regional plan in place? Is the proposed project a priority project within the regional plan?

Appendix 3

Resolution Authorizing Proposal

Resolution No. _____

Resolved by the _____ of the
(Name of Local Agency's Governing Body)

(Name of Local Agency)

that pursuant to and subject to all of the terms and provisions of California Public Resources Code Section 5096.21 and/or 75030 this proposal by this _____

(Type of Local Agency)

be made to the California Department of Water Resources to obtain funding for

(Project Title)

The _____ of the
(Authorized Representative)

(Type of Local Agency)

is hereby authorized and directed

to prepare the necessary data, make investigations, sign certifications required as part of the proposal, and sign and file such proposal with the California Department of Water Resources.

Passed and adopted at the regular meeting of the

_____ of the
(Name of Local Agency's Governing Body)

(Name of Local Agency)

on _____
(Date)

Authorized Signature _____

Printed Name _____

Title _____

Clerk/Secretary _____

Attachment 4

Project Description

This attachment will describe the project concept, approach, consistency with SSIA, and preliminary Financial Plan. This attachment, at a minimum, will include the following:

1. Project name and location
2. Project area map(s)
3. Project schedule
4. Project goals and objectives
5. Description of the proposed project
6. A statement by a professional civil engineer registered with the State of California certifying the before-Project and after-Project Level of Protection or Design Level of Performance;
7. Description of project alternatives. Has the applicant considered systemwide approaches to achieve system flexibility and resiliency? Explain systemwide element(s) of the project.
8. Description of the project approach and Scope of Work
9. Summary of project benefits. Has the applicant considered integrated flood management and integrated multi-benefit features within the proposed project? Explain how.
10. Description of Project Opportunities and Constraints
11. Explanation of what documents have been prepared in support of the proposed project.
12. Summary of project permitting. Has the applicant considered creating advanced mitigation and programmatic permits? Explain how.
13. Description of project financing (if a Financial Plan has been prepared, attach a copy).
14. Summary of cost estimates for various elements (project phase, repair vs. setback, ecosystem restoration, recreational features, etc.) of the project and propose a project cost share percentage using the Cost Share Guidelines.
15. Statement of the before-project Expected Annual Damage (EAD) and the after-project EAD.

Appendix 5

Attorney's Certification

(The applicant's attorney shall answer the following questions regarding this proposal and where indicated, shall cite statutory authority or other references.)

- Is the Applicant a political subdivision of the State of California? ()Yes ()No

Citation: _____

- Does the Applicant have legal authority to enter into a funding agreement with the State of California? ()Yes ()No

Citation: _____

- What steps are required by law for the Applicant to contract with the State?

Citation: _____

- What is the statutory authority under which the Applicant may obtain funds for the purpose, amount, and duration requested?

Citation: _____

- What is the statutory authority under which the Applicant was formed and is authorized to operate?

Citation: _____

- Is the Applicant required to hold an election before entering into a funding contract with the State? ()Yes ()No

Citation: _____

- Will a funding agreement between the Applicant and the State be subject to review and approval by other governmental agencies? ()Yes ()No

Identify all such agencies:_____

Citation: _____

- Describe any pending litigation that impacts the financial condition of the Applicant or the operation of flood management facilities. If none is pending, so state.

- Does the Applicant have legal authority and jurisdiction to implement a flood control program at the Project site and in the protected area? ()Yes ()No

Citation:_____

I certify that I am a duly qualified and licensed attorney in California representing the applicant agency and that I have answered the questions on this page and the preceding page to the best of my knowledge.

By _____ Date _____
(Signature of Local Agency's Attorney)

(Printed Name of Local Agency's Attorney) (Title)

(Name of Local Agency)

Appendix 6-A

UFRR Program Proposal: Standard Certifications for Construction Projects

(Name of Local
Agency)

hereby applies to the California Department of Water Resources for funding in the amount of \$_____ as authorized by Section 5096.821 and/or 75030 of the California Public Resources Code for the purpose of constructing the flood control repair or improvement work identified herein as

(Title of Project)

On behalf of the Applicant, I certify the following:

- Applicant has sufficient funds or other resources to finance the proposed percentage of the cost of the Project and to operate, maintain, repair, rehabilitate, or replace the Project as long as necessary. *(Applicant will be required to provide a financial plan.)*
- During the lifetime of any funding agreement resulting from this proposal, applicant will have a Labor Compliance Program complying with the California Labor Code. *(Applicant will be required to provide evidence of such a Program.)*
- If Applicant is awarded funding and becomes the sponsor of this Project, applicant will (1) operate, maintain, repair, rehabilitate, and replace the Project facilities as needed in perpetuity, or until the Department of Water Resources and the Central Valley Flood Protection Board agree in writing that such services are no longer needed, and (2) provide a manual for operation and maintenance that is satisfactory to the Department of Water Resources and the Central Valley Flood Protection Board; and (3) sign an agreement to operate, maintain, repair, rehabilitate, and replace the Project facilities with the Central Valley Flood Protection Board.

By _____ Date _____
(Signature of Authorized Representative)

(Printed Name of Authorized Representative)

(Title)

Appendix 6-B

UFRR Program Proposal: Certifications for Design Project

(Name of Local Agency)

hereby applies to the California Department of Water Resources for funding in the amount of \$_____ as authorized by Section 5096.821 and/or 75030 of the California Public Resources Code for the purpose of designing a flood control repair or improvement work identified herein as

(Title of Project)

On behalf of the Applicant, I certify the following:

- Applicant has sufficient funds or other resources to finance the proposed percentage of the cost of the Project. *(Project sponsors will be required to provide a financial plan.)*
- If Applicant is awarded funding for a Design Project and later enters into a Design-Construction Agreement, Applicant shall not commence construction activities until receiving an Approval Letter from the State.
- During the lifetime of any funding agreement resulting from this proposal, applicant will have a Labor Compliance Program complying with the California Labor Code. *(Project sponsors will be required to provide evidence of such a Program.)*
- If Applicant is awarded funding and the Project is constructed, applicant will (1) operate, maintain, repair, rehabilitate, and replace the Project facilities as needed in perpetuity, or until the Department of Water Resources and the Central Valley Flood Protection Board agree in writing that such services are no longer needed, and (2) provide a manual for operation and maintenance that is satisfactory to the Department of Water Resources and the Central Valley Flood Protection Board; and (3) sign an agreement to operate, maintain, repair, rehabilitate, and replace the Project facilities with the Central Valley Flood Protection Board.

By _____ Date _____
(Signature of Authorized Representative)

(Printed Name of Authorized Representative)

(Title)

Appendix 7

DWR Environmental Information Form

Grantees are responsible for complying with all applicable laws and regulations for their projects, including the California Environmental Quality Act (CEQA) and if applicable, the National Environmental Protection Act (NEPA). Work that is subject to CEQA shall not proceed under an Agreement until documents that satisfy the CEQA process are received by the Department of Water Resources and State has completed its CEQA compliance. Work that is subject to a CEQA document shall not proceed until and unless approved by the State. Such approval is fully discretionary and shall constitute a condition precedent to any work for which it is required. Once CEQA documentation has been completed, DWR will consider the environmental documents and decide whether to continue to fund the project or to require changes, alterations or other mitigation.

Grant Recipient: _____

Project Manager: _____

Phone Number: _____ Work Agreement # _____

Address: _____

1. List the source of any other grants or funds received from the Department of Water Resources to implement a portion of this project.

2. Is this project exempt from CEQA compliance? Yes ☐ No ☐ (if no – skip to #3)

If “yes”, provide reasons for exemption. Cite the CEQA Article, Section and Title of the CEQA exemption, if appropriate.

For exemptions see Article 18 (statutory) and Article 19 (categorical) of the 2014 CEQA Guidelines: <http://resources.ca.gov/ceqa/>

Check appropriate box below:

- ☐ Lead Agency has already filed a Notice of Exemption (NOE) with the State Clearinghouse and/or County Clerk. (Attach copy of NOE, receipt of payment of DFG fees, and, if applicable, a copy of Board Resolution)
- ☐ Lead Agency will file a NOE with the State Clearinghouse and/or County Clerk. Provide estimated date:
- ☐ Lead Agency will NOT file a NOE with the State Clearinghouse and/or County Clerk.

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If Lead Agency chooses not to file a NOE, sufficient documentation and information must be submitted to the Project Director, along with this form, to allow DWR to make its own CEQA findings.

3. If the project will require CEQA compliance, identify the Lead Agency.

CEQA Lead Agency: _____

4. Please describe the status of the CEQA documents (including the Initial Study, Negative Declaration, Environmental Impact Report, etc.), expected date of completion, and estimated cost, if requesting DWR funds relating to CEQA compliance:

Document: _____

Status: _____

Date of Completion: _____

Estimated Costs: _____

5. If the CEQA document has been completed, please provide the name of the document and the State Clearinghouse (SCH) number if available. Submit two copies of the environmental document to the Program Manager.

Name: _____

SCH # _____

6. Please list all environmental permits you must obtain to complete the project and provide a copy of the permit if already completed: (attach additional pages as necessary)

Type of Permit Required

Permitting Agency

7. This form was completed by:

Print or Type Name

Phone Number

Signature

Date

- ☐ DWR received environmental documents.
☐ DWR made CEQA findings.